

**BEST AVAILABLE COPY**

Application No.: 10/616,132

Docket No.: JCLA7920

**REMARKS****Present Status of the Application**

The Office Action rejects claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over Fuchs et al. (U. S. Patent 6,795,198; hereinafter Fuchs) in view of Banet et al. (U. S. Patent 6,118,533; hereinafter Banet). Both in page 2 and page 7 of the Office Action also decides claims 12-20 are allowable. Applicant accordingly supposed claims 1-11 and 21-22 remain pending in the present application, and reconsideration of those claims is respectfully requested.

**Discussion of Claim Rejections under 35 USC 103**

The Office Action rejects claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over Fuchs in view of Banet. The Office Action also decides that claims 12-20 are allowable. Applicant respectfully traverses the rejections on claims 1-11 and 21-22 for at least the reasons set forth below.

1. Dependent claims 21-22 are depending on an allowed independent claim 12 and should be allowed.

2. The present invention recites the features in independent claim 1 as follows:

1. A method of forming laser-induced grating pattern, comprising the steps of:
  - providing a substrate with a polished surface having a plurality of reflective regions thereon;
  - providing a pulsed laser beam that shines on the reflective regions on the substrate to produce a grating pattern through optical interference; and
  - providing a cylindrical lens for adjusting the configuration of the grating pattern. (Emphasis added)*

**BEST AVAILABLE COPY**

Application No.: 10/616,132

Docket No.: JCLA7920

The features emphasized above are at least not disclosed by the prior art references. In FIG. 3 of the present invention, for example,, the cylindrical lens 309 extending in a longitudinal direction, is used to adjust the configuration of the grating pattern, such as the spacing between the bright and dark lines of the grating pattern. However, the prior-art references that were relied upon are inoperative for adjusting the configuration of the grating pattern.

In re Fuchs, Fuchs uses the achromat lens pair 70 to image the diffraction pattern 66 of the mask 62 onto the sample to form the pattern 15 as shown in Fig. 4 (col. 8, lines 26-31). Clearly, the achromat lens pair 70 is used to focus the pattern onto the sample without change by phase or the wavelength instead of the cylindrical lens in the present invention to adjust the configuration of the grating pattern, such as the spacing between the bright and dark lines of the grating pattern.

In re Banet, as disclosed in Fig. 4, the imaging lens 70 is used to focus the image onto the sample 10 (col. 7, lines 33-36). The imaging lens 70 is an usual circular focusing lens rather than the cylindrical lens of the claimed invention for adjusting the configuration of the grating pattern, such as the spacing between the bright and dark lines of the grating pattern.

Therefore, Fuschs and Banet either alone or in combination do not disclose the complete features as recited in independent claim 1. In particular, the prior-art references that were relied upon are inoperative for adjusting the configuration of the grating pattern, such as the spacing between the bright and dark lines of the grating pattern.

**BEST AVAILABLE COPY**

Application No.: 10/616,132

Docket No.: JCLA7920

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 patently defines over the prior art references, and should be allowed. For at least the same reasons, dependent claims 2-11 patently define over the prior art references as well. "If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988).

Page 4 of 5

**BEST AVAILABLE COPY**

Application No.: 10/616,132

Docket No.: JCLA7920

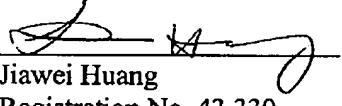
**CONCLUSION**

For at least the foregoing reasons, it is believed that all the pending claims 1-22 of the invention patentably define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,  
J.C. PATENTS

Date: 7/12/2005

4 Venture, Suite 250  
Irvine, CA 92618  
Tel.: (949) 660-0761  
Fax: (949)-660-0809

  
Jiawei Huang  
Registration No. 43,330